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JP017692:ceb

January 19, 2018

VIA CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

RE: Supplemental FOIA Request

Dear Sir or Madam:

I am counsel for The Scotts Miracle-Gro Company and The Scotts Company LLC (collectively, "Scotts"). Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, as amended ("FOIA"), the requesting party requests the information specified below. My contact information is:

Jeffrey J. Jones
Jones Day
150 W. Jefferson, Suite 2100
Detroit, Michigan 48226
Telephone: (313) 230-7950
Fax: (313) 230-7997

Please provide the information by email if practicable to: jjjones@jonesday.com. The requesting party agrees to pay fees associated with this request up to one thousand dollars (\$1,000.00) without further notice from the responding agency.

As you may know, Scotts previously submitted a request for certain materials (No. EPA-HQ-2013-002293) on December 14, 2012. Scotts renewed its request on March 27, 2013. Records responsive to No. EPA-HQ-2013-002293 were provided to Scotts in May and August 2013. Thank you very much. This request seeks to supplement Scotts' prior request by asking for any materials that may now be responsive. The information we requested is provided below.

Requested information

Any documents or communications relating to wild bird food products allegedly manufactured or sold by The Scotts Miracle-Gro Company or any of its corporate affiliates, including The Scotts Company LLC and Gutwein & Co., that the EPA has

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produced pursuant to FOIA since January 1, 2008, to any FOIA requester, including the following firms and persons:

1. **Robbins Gellar Rudman & Dowd LLP and any persons associated with Robbins Gellar Rudman & Dowd LLP, including but not limited to Jason A. Forge, Rachel L. Jensen, and Paul J. Gellar;**
2. **Dowd & Dowd PC and any persons associated with Dowd & Dowd PC, including but not limited to Douglas P. Dowd and Alex R. Lumaghi;**
3. **The Driscoll Firm, P.C. and any persons associated with The Driscoll Firm, P.C., including but not limited to John J. Driscoll and Jeffrey Schultz.**

Please note that the terms "documents" and "communications" are used in the broadest possible sense. The conjunction "or" should always be interpreted in a manner that includes the most possible information, documents, or communications. Please provide responses to this request as soon as practicable. If any request, or portion thereof, is denied, please inform me in writing of the specific reasons for the denial. If part of any document responsive to this request is claimed to be exempt from disclosure, please provide the remaining non-exempt portions.

Thank you for all of your assistance with regard to this matter. If you have any questions, please let me know.

Very truly yours,

Jeffrey J. Jones / per authority CEG

Jeffrey J. Jones
Counsel for The Scotts Miracle-Gro Company
and The Scotts Company LLC

cc: Laurice Redhead (by email: redhead.laurice@epa.gov)